



February 22, 2008

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United States Environmental
Protection Agency, Region I
One Congress Street
Suite 1100
Boston, MA 02114-2023

Attention: Joseph Canzano, SEW

Dear Sirs,

I have tried to answer all of your questions as completely as possible and I would be happy to add any clarification if I have misunderstood how much detail or description was required. As you can see by my response to the deficiencies that were noted on 7/31/07 I have given all requests and recommendations the highest priority and have taken immediate steps to bring my facility into full compliance as soon as possible.

Yours truly,

Peter Bent
Owner/Manager

Part I. Process and Storm Waters

1. Please provide the full name of all owner(s) and operator(s) of the Facility. Provide the full legal name of each entity, address and fully explain the legal relationship between each of these owners and operators.

- (1) Peter Bent (owner/operator)
Brown's Yacht Yard, Inc., Rear 139 East Main St., Gloucester, MA 01930

In addition:

a. Provide the date that the current operator commenced each operation and when the operation was acquired by the current owner.

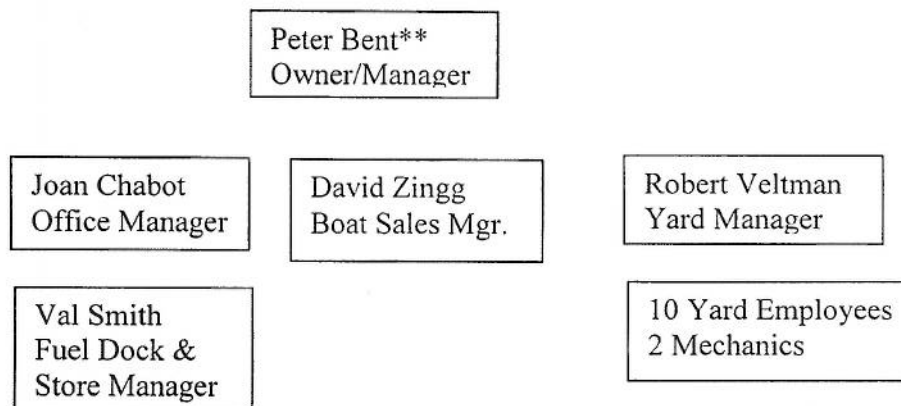
- (a) 1978

b. Name all of the owners and operators from October 30, 2000 to the present.

- (b) Peter Bent

2. For each entity specified in response to Question 1, provide a diagram that illustrates the corporate and management structure of the entity. Please identify who has responsibility for environmental compliance within the organization, and where that responsibility is located within the organization.

(2.)



****Responsible for environmental compliance**

3. From January 1, 2003, to the present, please provide the following information for each operation at the facility.

a. A list and detailed description of each operation. For each operation, provide the date that the operation commenced and, if applicable, the date the operation ceased.

(A.) Winter Boat Storage – 2003 to the present

(1.) Haul boats with Travellift, move into storage position in Rack Storage Building or on jack stands – typically September to November

(2.) Pressure wash boat bottoms – typically September to November.

(3.) Winterize engines and fresh water systems – change oil & filters, fog engine, drain water systems. Inboards winterized in water prior to haul. Outboards winterized on land with fresh water hose – typically September to November

(4.) Shrink-wrap – boats shrink-wrapped on site for winter protection – typically September to November

(B.) Spring Commissioning – 2003 to the present

(1.) Remove and recycle shrink-wrap

(2.) Sand bottom if requested (Fein Dust Free Sanders used)

(3.) Paint bottom

(4.) Wax hull if requested

(5.) Varnish or paint if requested

(6.) Launch & step mast (sailboats)

(7.) Commission engine (run to temp & check cooling for overheat, harbor test if requested, commission water systems, check navigation lights, check seacocks).

All done typically April to June.

(C.) General Repairs – 2003 to the present

(1.) Fiberglass – (Sub-contracted) Mostly cosmetic or delaminate repairs: repair, glass & re-gelcoat areas of hull & deck.

(2.) Mast & rigging work – Repair & replace stays, halyards, lights and track systems including roller-furling gear.

(3.) Outboard repairs – Troubleshoot & repair all components & systems, tune-ups, oil changes.

(4.) Inboard engines – (Sub-contracted) Troubleshoot & repair all components & systems, tune-ups, oil changes.

(5.) Inflatable boat repairs – Find & repair leaks

(6.) Prop & shaft work – remove & send out for repair, re-install.

(7.) Bottom paint stripping – (2-3 boats per year) Lay down blue poly tarps, apply stripping agent, scrape onto tarp.

(8.) Marine Store – Sales of parts and merchandise. Boat Sales – Zodiac Inflatables, Evinrude Outboards and boat brokerage.

(9.) Fuel Dock – Sales of gas and diesel. Also requires refilling of UST by fuel supplier.

b. The Standard Industrial Classification (“SIC”) code(s) for each operation specifying the primary and secondary SIC code(s).

(b.) SIC 4493 - Marinas: establishments which primarily rent boat slips, store boats, and generally perform a range of other marine services including boat cleaning, and incidental boat repair. They may also sell food, fuel, and fishing supplies, and may sell boats.

c. Describe all activities, in chronological order, associated with each operation, including the period of time and dates during which the activities occurred. Provide a detailed site diagram that illustrates the location where each of these activities take or took place. The site diagram shall be prepared by a licensed professional engineer.

(c.) Description of activities:

Activities Site Plan (See Enclosure #1)

(1.) Boat storage – Haul boat in Travellift slings or with Marina Bull Forklift, unstep mast (if sailboat) and set aside in racks. Stand boat in yard with jack stands, or store on boat trailer or in rack storage building. Chain jack stands for security. This is typically a September to November activity.

(2.) Clean bottoms with pressure wash machine, some water evaporated into air, balance drained into Gloucester Harbor – solids, if any, swept up and

disposed of. This activity described in greater detail later in report as requested. This is typically a September to November activity.

(3.) Winterize engines & fresh water systems – Inboard engines winterized & fogged out in water after oil & filters have been changed. Fresh water systems are drained. Non-toxic antifreeze used (Camco “Ban Frost 2000”) for engines and Camco “Freeze Ban -100°” (drinkable) for water systems. Outboard engines are winterized on land next to the mechanic shop with a garden hose attachment. Gear oil is changed, batteries are stored in the battery room (inboard batteries are disconnected & left onboard). Holding tanks are pumped prior to haul by Gloucester Harbormaster pump out boat. This is typically a September to November activity.

(4.) Shrink-wrapping – Boats are framed and shrink-wrapped by yard personnel and shrink-wrap is removed in the Spring and recycled. Brown’s uses and pays for a special shrink-wrap dumpster that is located on the State Fish Pier from April thru June. Two other boat yards have shared this cost with us. When dumpster is not available we use a program that ships materials in special bags to Dr. Shrink. Shrink-wrapping is typically done September to November and the removal is done April to June. We are unaware of any potential pollutant exposure from this activity.

(5.) Spring commissioning – Remove shrink-wrap (see above), sand bottom if requested – yard owns and uses Fein Sanders which are dustless and suck loose material into a vacuum. Paint bottom – paint is mixed on shaker & applied with rollers and brushes. We have been advised by EPA inspection team to place tarps under boats during painting and will do so this coming Spring. Hull may be compounded & waxed if requested. Brightwork (not much around anymore) may be sanded & refinished if requested. Boats are launched with Travellift or Forklift, masts are stepped & rigging is tuned. Inboard & outboard engines are commissioned and tuned up in the water. Outboards are not commissioned on land because a water hose hook up will not indicate that the engine cooling system is functioning properly at idle & under load. Boats are delivery washed at dock prior to customer pick up. EPA inspection team indicated this should be done by customer, not by yard. Yard will plan to pre-wash boats using new recycle system prior to launch this spring. Boat may be harbor tested if requested. Boat operating systems (bilge pumps, navigation lights, electronics, head and fresh water systems are also checked if requested). This is typically an April to June activity.

(6.) General Repairs:

(A.) Fiberglass – work is subcontracted to independent contractor (Dennis Doucette) and mostly performed in the shrink-wrapped tent building. Repairs are generally cosmetic in nature and include hull prep & fairing, application of cloth & resin, re-gelcoating for finished surface. Interiors of boats with tabbing

problems on bulkheads, or stress cracks from groundings are also done in this area or in the "West Shed" building where there is heat available.

(B.) Mast repair & rigging – New rigging (stays) made up on bench in West Shed. Halyards spliced and made up, wire micro pressed or swaged (hydraulic or hand tools). We are unaware of any potential pollutant exposure from this activity.

(C.) Engine repairs – Inboard work is performed by sub-contractor (George Lenart) who is skilled in both diesel and gas inboards. Tune-up, water systems, transmission, alignments, ignition systems are done on land in shop area provided & on the boats (in or out of the water as needed). Outboard work is performed in the shop & on the boats both in & out of the water. Full range of services with authorized factory repairs for Yamaha, Evinrude & Johnson. Small engines may be run in the test tank in shop area. EPA inspection team pointed out that overflow for tank needs to be corrected to comply with clean water act.

(D.) Prop & shaft work – props and shafts are removed and sent out for sub-contracted work off site.

(E.) Inflatable boat repairs – Brown's is an authorized repair station for Zodiac Inflatables. All repairs are done in garage in upper yard. Work is done by David Zingg who is a factory trained repair expert. Boats are inspected, tested and patches are glued on if required.

(F.) Bottom stripping – (2-3 boats per year) Work usually performed in West Shed. Environmentally friendly stripping agent (Paint-B-Gone) applied and after paint is softened the paint is removed with scrapers. Tarps on the ground catch most of the removed material; the remainder ends up on employee's tyvek coveralls.

(8:) Sales of Gas and Diesel:

Requires that dock master turns on pump before customer can begin fueling, latches are removed from all fuel nozzles requiring that customer hold handle at all times. When customer is done fueling he replaces the nozzle in fuel holster which has a drip container. Spill containment supplies are kept nearby in case needed.

When fuel delivery is needed the order is placed with Todd Oil. The truck arrives and parks next to the appropriate fuel fill, driver removes the containment cover, inspects for water or debris in spill cap, sticks tank to verify amount needed matches amount ordered, pumps product into tank, sticks tank again to verify delivery and reinstalls fill cap and containment cover. The driver remains by the

fill hose throughout the delivery and there are spill containment materials stored nearby.

d. Describe which activities described in Question 3.c. above are conducted inside, which are conducted outside, whether there is any cover over the activity, and whether the activity is exposed to storm water. For each activity exposed to storm waters, describe whether any controls are in place to prevent pollutants from being exposed and discharged during storm events. If there have been any changes to the activity's exposure to storm events since January 1, 2003, please describe those changes in detail.

(d.) Boats are stored outside or in rack storage building.

Bottom washing is only done outside on cement pad for Travellift (pressure washer machine uses 220-volt plug, outlet located on corner of shop, cord length 10'). We purchased a closed-loop recycle system in the Fall of 2007 to be used for boat washing.

Engine winterization for most inboards is done in the water.

Outboard winterizing – done outside on boat on land or inside in tank.

Inflatable repairs – done inside in garage.

Shrink-wrap – done inside West Shed if rainy & windy or outside if nice weather.

(Unaware of any potential pollutants from this activity)

Bottom painting – done outside.

Compound & wax – done outside.

Delivery wash – previously done at dock

(implementing new program this Spring).

Bottom stripping – done inside West Shed or outside.

(Potential pollutants contained with tarps)

Rigging work – done inside in West Shed or outside on rigging dock.

(Unaware of any potential pollutants from this activity)

Outboard & inboard general repairs – done inside in shop, outside on land or in water at dock.

Fiberglass repairs – done inside in tent area (floor may be subject to storm water).

*Note: All outside activities are subject to storm waters. Controls in place to prevent pollution include tarps under boats for bottom stripping (and in future for painting), use of dust free sanders, daily yard maintenance – yard is swept on a regular basis for dirt, nails, leaves, etc. – Job completion – part of any operation requires each employee to clean the area after the job is done – rags, paint containers, brushes, paint sticks, etc. all to be contained by days end.

Primary drain basin in front of shop was renovated in mid 80's and filled with a collection pit to trap sediments – outflow to harbor occurs in top of basin which is 3 feet deep and 30" in diameter – basin is cleaned when sediment can be seen through grate.

4. Provide the following information for those operations listed in response to Question 3 above that, since January 1, 2003, have or had a discharge of any process waste waters including pressure washing of vessels, engine repair and testing, sanitary waste waters, or cooling waste waters, and any vehicle or other wash water activities to a surface water (e.g., Gloucester Harbor).

a. Describe the nature of each discharge and waste stream. Specify the process or other source for the discharge and the activities that contribute to the discharge. Examples of activities include, but are not limited to, pressure washing of vessels, engine repair and testing, sanitary waste waters, cooling waste waters, and any vehicle or other wash water activities. Specify the chemicals, additives and materials that are used in each of these processes.

(a.) Bottom washing – as described above, bottom washing has been performed on the cement pad at the Travellift dock. Wash water drained into Gloucester Harbor through small grated openings in pad. No chemical additive or sandblasting was used as part of this activity.

Outboard test tank – The tank holds approximately 100 gallons of water and water can flow over back tray into a drain that empties into Gloucester Harbor – water will spill over when an engine is run at high speed or excess water is added from an inlet valve (city water). The tray does have oil absorbent pads which will mitigate but certainly not purify the discharge.

b. Provide, in gallons per day, estimated or actual daily maximum and monthly average volumetric flow rates discharged from each waste stream, and the total discharge for the year to surface waters. If the flow rate is estimated, please indicate by what manner flows were estimated.

(b.) I estimate that my pressure washer uses 3-5 gallons of water per minute. Water usage is efficient due to the proper nozzle selection which puts out a fine linear spray. I have been told (or I read somewhere) that use of a pressure washer can result in on average about 1 gallon of water per foot length of boat being washed that doesn't evaporate. We haul about 1380 linear feet of boats per season which would translate into 1380 gallons of overboard discharge. A smaller number of boats are washed during other times of the year, usually when a boat is hauled for survey and the surveyor wants to look for defects and needs a very clean surface. These other activities could add another 10-20% to the volume. All discharge water went into Gloucester Harbor – no monitoring was done.

Outboard tank – Tank holds approximately 100 gallons of water and water can flow over back tray into a drain that empties into Gloucester Harbor – water will spill over when an engine is run at high speed or excess water is added from an inlet valve (city water). The tray does have oil absorbent pads which will

mitigate but certainly not purify the discharge. I am completely at a loss to estimate the total discharge per year because I have no formula to use and use of the tank does not require any set water usage; water is added as needed to keep the outboard cavitation plate submerged, but not on a daily or every other day basis. When there is overflow there is not a lot of volume. I would guess in the busy season (Spring & Summer) the volume could be between 25-50 gallons per week (May, June, July, August & September) or 20 weeks for a volume of 500-1000 gallons. Other times of the year (October, November, December, March & April) could see 50% of that volume for 250-500 gallons. There is almost no work done in January, February and the first half of March as the mechanics are laid off or away at school for training. If my math works the total volume might be 750-1500 gallons, but I have no formulas to substantiate this plus or minus.

c. Describe in detail the means by which process water is discharged (e.g., pipe, catch basin, drain) to a surface water.

(c.) Process water from pressure washing previously drained into Gloucester Harbor through small grated openings in pad. Wash pad was redesigned in the Fall of 2007 to connect openings in pad to new closed-loop recycle system. Process water from the outboard test tank discharges when the mechanic running an outboard determines that the water level in the tank is too low for the outboard cooling system to function normally. The tap water is piped into the tank and when it reaches a certain level it spills over and is discharged into Gloucester Harbor. Until we were informed by the EPA team, we did not understand that this was processed water.

d. For each discharge from an operation to surface waters, state the name and location of the surface water, and provide the date(s) that the discharges commenced and the date(s) that the discharges ceased.

(d.) Gloucester Harbor from 2003 to August, 2007 typically from September to November.

e. Provide all analytical results for all monitoring of any of the discharges from January 1, 2003, to the present. All results shall clearly reference a site diagram, as required in Question 3.c. above, that illustrates the exact location where monitoring occurred.

(e.) No monitoring done

f. Provide a copy of all discharge permits in effect or permit authorization notices as well as the permit number and date of coverage since January 1, 2003. If a permit was not obtained for any process wastewater discharges, please provide a detailed explanation as to why a permit was not obtained.

(f.) No permits have been applied for since January 1, 2003. A permit was applied for and a fee paid in 1994 for a "group permit" for storm water runoff; see enclosure # 2 for certificate & invoices paid.

No permit was applied for to operate the outboard test tank because I was unaware that a permit was required. It just never registered that there was any difference between running an outboard on a boat in the water and running it in a tank. I have never seen or heard of any mention of this in any publication.

No permit was applied for of pressure washing discharge.

I have been actively working on purchasing a treatment system for the past 4 years and I decided to go with "The Next Generation's" system for the Fall of 2007 (see bid proposal dated February 6, 2006, Enclosure # 3). My research began with a study of a waste treatment system that was installed by nearby Cape Ann Marina in 2005. They were fortunate to be chosen for the first grant available North of Boston. The concept behind giving out said grant was to provide a working model, educate and guide other marinas by putting a system on line. I attended the demonstration day after which I determined this treatment system would not work for me for several reasons – (1) cost (no grant available), (2) physical layout (no room), (3) availability of nearby sewer line (uphill), and (4) dependence on Gloucester's municipal sewage treatment plant. Besides the cost (Brown's is the smallest of the full service yards in the Cape Ann Area), I was not comfortable with the dependence on the Gloucester sewage treatment plant. I am familiar with the history of the facility and know that it has been on proverbial thin ice for some time. I could not rely on being able to discharge even "treated" wastewater that would be high on mineral content through this antiquated system.

Next I started to research closed loop systems. I was particularly uneasy about the reputation some of these systems had for creating bad odors (think rotten eggs). Brown's abuts several residential properties and this area is particularly odor sensitive due to past issues with a fish fertilizer plant that was formerly located on the State Pier across the channel. I was prepared to go with Next Generation but their reference list didn't include anyone in Massachusetts or even the New England area that I could go visit, and Texas seemed a long ways away! (See enclosure # 4). Fortunately, I found out that another boat yard was following a path similar to mine (Manchester Marine in Manchester, MA). They had decided on Next Generation and were moving forward quickly because they had received a grant from CZM that was going to expire.

I was not able to find any grant money, but I did have a visit from the EPA inspection team on 7/31/07 and they indicated to me that it was time to buy the system and start installing it. I finalized my purchase plan with Next Generation and sent them a deposit on 8/1/07. In the meantime, I drew up plans to adapt my existing concrete pad to accept a sump and new recycle system. I ceased

operations with the Travellift on 8/30/07 and built and installed the new sump and piping. I took delivery of the system components on 9/17/07. I have put them in place and built a shed to protect the system. Winter prohibited further progress.

I will have the plumbing and electrical done by outside contractors and the system will be operational this Spring.

Please note that in conjunction with the new recycle system I have included piping that will tie into the outboard tank. We stopped discharging that water upon notification by the inspection team. I plan to use additional oil absorbent pads to pre-treat the recycled outboard tank water prior to its entry into the main system. There are 3 separate baskets or screens that I built to separate the solids and the basket closest to the marine store outboard tank is underneath the pipe and will hold the pads for the pre-treatment. If this solution does not work as expected I plan to pump the tank periodically and pay to dispose of the water. Last choice is to get rid of the tank!

g. If either the use of water or the discharge has changed since January, 1, 2003, provide a chronological description of all changes in water use or discharge including the period of time and dates during which each water use or discharge occurred.

(g.) See below.

h. Provide all past and current plans or schedules, and actual or estimated costs for ceasing the discharges listed in response to Question 4.a. above. If no plans exist, submit such plans with a construction schedule.

I finalized my purchase plan with Next Generation and sent them a deposit on 8/1/07. In the meantime, I drew up plans to adapt my existing concrete pad to accept a sump and new recycle system. I ceased operations with the Travellift on 8/30/07 and built and installed the new sump and piping. I took delivery of the system components on 9/17/07. I have put them in place and built a shed to protect the system. Winter prohibited further progress.

I will have the plumbing and electrical done by outside contractors and the system will be operational this Spring. Total cost for the project to date is \$30,358.07 (see breakdown in section 8).

i. Provide actual or estimated costs (material and labor) for ceasing the discharges listed in response to Question 4.a. above. Also, please provide, in chronological order, all invoices.

(i.) Cost to date is \$30,358.07 see breakdown – Question 8., item e.; copies of invoices attached (Enclosure # 5).

5. Provide the following information for storm water discharges from each operation listed in response to Question 3 above to surface waters.

a. For each storm water discharge to surface waters, provide a detailed site diagram which meets the conditions set forth in part 4.4.4., "Site Description" of EPA's *NPDES Multi-Sector Permits for Storm Water Discharges Associated with Industrial Activities*, effective October 30, 2000. The diagram and narrative description shall clearly illustrate (1) any and all means by which storm water currently flows across and off each operational area and (2) all diversion or control structures in place to reduce the pollutant load carried off each operational area.

(a.) This facility is operated as a marina and performs all the normal functions of that industry. All the activities of the facility that are exposed to precipitation and potentially contain pollutants that could be discharged to Gloucester Harbor by the outfalls on the property are shown on the attached/enclosed site diagram. (See Enclosure #6)

The entire property is primarily asphalt. There is almost no natural runoff since the circumference of the property basically all slopes back to the center. There are presently three outfalls from the property being made up of four storm drains, two being owned by the City of Gloucester; the Travellift drains and all drains in the store/shop building having been previously sealed with cement. The two owned by the city are on a continuous piping coming from the street and it discharges to the harbor on the northeasterly side of the property. The other two drains discharge separately to the harbor in the old railway area.

As shown in the diagram of the site, you can see the different industrial activities in the areas of the four drains. The drains have been marked as A, B, C, & D. The A-Drain is the least likely to have contaminants from any of the yards activities as very little is done outside in that area. B, C, & D Drains are of more concern.

With the exception of the primary drain basin in front of the shop there are no physical structural controls in place to reduce the pollutant load, other than the main fact of the property primarily being pitched away from the shoreline and the rest of the perimeter of the property lines. The primary drain basin was modified in the mid 80's with a collection pit to trap sediments. There are non-structural controls that have been utilized, such as tarping, sweeping, dustless sanders, etc. Additional non-structural best management practices are to be implemented this spring (more tarping, filter drainguards, wash water recycler).

Also, a stormwater bypass has been constructed for the wash pad area.

By this spring, with the new equipment purchased and the programs being incorporated there should be no non-stormwater discharges from this facility.

b. For each storm water discharge to a surface waters, state the name and location of the surface water on a map and indicate the nearest named surface water.

(b.) Gloucester Harbor – see attached site plan (see enclosure # 6)

c. If storm waters from an operation are not discharged to surface waters, please describe where storm waters flows to, and how it is discharged (e.g. infiltrated into the ground).

(c.) Not applicable

d. If the discharge of storm waters has changed since January 1, 2003, please provide a chronological description of all changes in the discharge.

(d.) Drains in the marine store, garage and Travellift pad were sealed on 8/13/07.

6. Provide a list of each operation in response to Question 3 above where permit coverage was sought for storm water discharges from January 1, 2003, to the present.

(6.) None

a. Provide a copy of each original signed (and dated) application or Notice of Intent ('NOI') used to first obtain permit coverage and all subsequent applications or NOIs.

(a.) None

b. Provide a copy of each original and subsequent permit or permit authorization notice as well as the permit number and the dates of coverage.

(b.) None

c. If storm water permit coverage was not sought for an operation, provide a detailed explanation of your reason(s) for not obtaining permit coverage.

(c.) I thought I was covered under the original group permit. (See Enclosure #2)

7. Please provide the following information for each operation listed in response to Question 3 above:

a. Is there a current Storm Water Pollution Prevention Plan ("SWPPP")? If the answer is affirmative, please state when the original SWPPP was prepared and what were, if any, the dates of all revisions to the SWPPP. Please submit a complete copy of all SWPPPs (and amendments thereto) that were prepared since January 1, 2003.

(a.) None

b. If a SWPPP was not prepared, please provide a detailed explanation of your reason(s) for not developing a SWPPP.

(b.) Not aware of need to have an authorized plan, but have always tried to use pollution prevention measures on a daily basis. I have always felt the most important pollution control efforts involved waste oil storage (no open containers) and fuel storage and dispensing. I have always maintained my underground tanks according to code and employed the latest monitoring equipment and prevention techniques with nozzles and drip containers, etc. I have a 33-year track record as owner/manager of Brown's for not having had a single incident of spillage or pollution.

c. Provide a chronological listing of when "*Routine Facility Inspections*" were conducted to evaluate applicable storm water pollution prevention measures. Please submit a copy of all inspections performed from January 1, 2003, to the present.

(c.) None

d. Provide a chronological listing of when "*Annual Comprehensive Site Evaluation Inspections*" were performed. Please submit a copy of all inspections performed from January 1, 2003, to the present.

(d.) None

e. Provide a chronological listing of when "*Visual Monitoring Inspections*" of storm water discharges was conducted. Please submit a copy of all inspections performed from January 1, 2003, to the present.

(e.) None

f. Provide a chronological listing of when "*Benchmark Monitoring Inspections*" of storm water discharges was conducted. Please submit a copy of all results from January 1, 2003, to the present.

(f.) None

g. Provide a chronological listing of all storm water inspections and monitoring not included in response to Question 7.c. through 7.f above. Please submit copies of all reports of these inspection and monitoring results from January 1, 2003, to the present.

(g.). Yard manager inspects uplands and docks at close of workday. No written records were kept, any problems noted were taken care of during inspection.

h. Provide the name and credentials of all facility personnel who performed inspections identified in above.

(h.) Robert Veltman – Yard Manager

8. In an October 21, 2007 letter from Brown's Yacht Yard to the EPA, Brown's Yacht stated "Have purchased a waste water treatment system . . and are in the process of installing." Please provide the following information:

a. Process flow diagram illustrating the system. The diagram shall be stamped by a licensed professional engineer, indicate the operating conditions for the system, and ultimate discharge location for treated waters.

(a.) Used incorrect wording in letter dated October 12, 2007. We purchased a closed loop system not a wastewater treatment system. There is no discharge. See closed loop flow diagram as provided by manufacturer (See Enclosure # 7).

b. A copy of all local building, plumbing and electrical permit applications and permits sought for the installation of the system.

(b.) Electrical permit to be pulled by Electrician in Spring prior to hook up. No plumbing permit required as there is no sewer connection.

c. A narrative description of the system which shall include, but is not limited to, process waters to be treated, maximum daily flow rates, treatment chemical use, and operating instructions.

(c.) Used incorrect wording in letter dated October 12, 2007. We purchased a closed loop system not a wastewater treatment system. See manufacturer's instructions for closed loop system pages 4-7 (See Enclosure # 8).

d. Indicate the personnel who will be responsible for the day-to-day operation and maintenance of the system. In addition, state if a wastewater treatment operator's license from the Commonwealth of Massachusetts is required for the system.

(d.) Yard manager responsible for day-to-day operation. No license required as what we purchased was a closed loop system, not a waste treatment system.

e. Provide an itemized cost for the system, including but not limited to, engineering design, permits, and installation including parts and labor, and the expected annual operating cost.

(e.) Costs for project to date:

The Next Generation – Closed Loop Recycle System	\$11,650.00
Marshall Landscape Supply – crushed stone	447.90
Modern Heat – strainer baskets	624.75
Bresnahan & Horrigan – paving to redirect drainage	2,400.00
Gloucester Rental – compactor plate	63.00
Misc. materials to build recycle shed	2,207.17
Labor	<u>12,965.25</u>
	\$30,358.07

We have no cost experience on this unit yet, but based on the information we have from the manufacturer our best estimate of the annual cost to operate the recycle system would be between \$2500 and \$3500 per year.

Part II. Oil Pollution Prevention

Please provide the following information for the facility.

1. Provide a list of all the oil storage capacity, both underground and aboveground, (including tanks, drums, transformer, oil-filled systems, etc. that are 55-gallons or larger) and the type of oil stored in each container. Indicate each container's age, method of construction (e.g. single or double wall, steel or fiberglass). Also indicate whether any secondary containment was provided around the storage container. If there was containment, list method of construction and the total volume it can contain.

(1.) At the time of the EPA inspection on July 31, 2007 our oil storage capacity was as follows:

Underground Storage

2 - 6000 gallon double walled steel tanks installed August, 1988, one for gasoline and one for diesel.

Aboveground Storage

Outside-exposed to weather

2 - 55 gallon double walled steel drums for waste gasoline purchased 7/04
1 - 275 gallon single walled steel tank for office heating oil last replaced 11/01
(This tank was replaced with a double wall tank on 10/22/07)

Inside - protected from weather

2 - 275 gallon single walled steel tanks for waste oil furnace purchased 11/92
(These tanks have since been removed, one on 2/7/08 and the second on 2/22/08; see Enclosure # 9)

2 - 275 gallon single walled steel tanks for waste oil furnace purchased 12/05
1 - 275 gallon single walled steel tank for kerosene purchased 12/06

2. State whether the Facility is required by 40 C.F.R. Part 112 to have a Spill Prevention Control and Countermeasure ("SPCC") Plan.

(2.) Since the inspection the following actions have been taken:

(a.) Office heating oil tank was replaced with a double wall Roth on 10/22/07

(b.) The two oldest waste oil tanks have been emptied and removed. One tank was removed on 2/7/08 and the second tank was removed on 2/22/08. (See Enclosure #9)

Removal of the two waste oil tanks brings our above ground storage capacity down to 1210 gallons.

3. Provide the date the Facility first started having oil storage capacity over the SPCC regulatory thresholds set forth in 40 C.F.R. § 112.1 (d)(2) (i.e. the total underground oil storage capacity greater than 42,000 gallons, or, the total aboveground oil storage capacity greater than 1,320 gallons).

(3.) Brown's added 2 waste oil tanks in December, 2005. We were unaware that the above ground storage limit for oil was 1320 gallons, so the addition of these 2 tanks unintentionally put us 165 gallons over the limit. We then added a kerosene tank in December, 2006.

4. If the Facility is required to have a SPCC Plan, state whether the facility has a Plan and whether it was fully implemented.

a. If the facility has a SPCC Plan, submit a copy.

(a) Not applicable, see Question 5 below.

b. If the facility does not have a SPCC Plan, provide a schedule when a SPCC Plan will be completed and copy submitted.

(b.) Not applicable, see Question 5 below.

c. Provide the estimated or actual cost (labor and material) of preparing the SPCC Plan.

(c.) Not applicable, see Question 5 below.

d. Provide the estimated cost of implementing the Plan (including the cost of constructing secondary containment at the facility).

(d.) Not applicable, see Question 5 below.

e. Provide the estimated ongoing annual costs of plan implementation (including training, inspections and record keeping).

(e.) Not applicable, see Question 5 below.

5. If you believe that the Facility is not required to have a SPCC plan, provide an explanation, supported by documentation, as to why the Facility is not subject to Oil Pollution Preventions regulations.

(5.) By removing (2) 275 gallon waste oil tanks we have brought our total capacity under the 1320 gallon limit. We will continue to replace the existing tanks with double wall tanks as finances permit, but for the time being we could only afford to replace the one tank that is outside and exposed to the weather.

Attachment B

Declaration

I declare under penalty of perjury that I am authorized to respond on behalf of Brown's Yacht Yard, Inc. I certify that the foregoing responses and information submitted were prepared by me, or under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By 
(Signature)

Owner Manager
(Title)

2/22/08
(Date)



80/2/08
← one Tank removed

80/2/08 2nd Tank removed ↓

